

Judge Berman

08 CV 00035

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MERCK EPROVA AG and
MERCK KGaA

Plaintiffs,

-vs.-

PROTHERA, INC.

Defendant.

07 CV



RULE 7.1 STATEMENT
OF PLAINTIFF
MERCK KGaA

Pursuant to Fed. R. Civ. P. 7.1, and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Plaintiff Merck KGaA, certifies that, to the best of its knowledge:

1. Merck KGaA is a subsidiary of E. Merck OHG.
2. No publicly held corporation holds more than 10% of the voting securities of Merck KGaA.

Dated: January 3, 2008

A handwritten signature in black ink, appearing to read "R. Hanlon".

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